

I, Elizabeth Eiche, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.



Elizabeth Eiche
Signature

August 13, 2007
Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daniel P. Shannon)	Group Art Unit: 3728
)	
Serial No.: 10/782,536)	Examiner: Jerrold D. Johnson
)	
Filed: February 19, 2004)	Date: August 13, 2007
)	
Title: "VACUUM SEALABLE BAG APPARATUS AND METHOD")	Our Ref: 35496-9002-02
)	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir:

This communication is in reply to the Examiner's Reasons for Allowance accompanying the May 11, 2007 Notice of Allowance for the above-referenced patent application. No extension of time petition or fee is required to accompany this communication.

In the Examiner's Reasons for Allowance, the Examiner notes that the allowed claims are drawn to an embodiment of the present invention illustrated in Figs. 8 and 9. However, the Applicant notes that Fig. 10 is another illustration of the same embodiment, and is included in the scope of the claims. Furthermore, the Applicant notes that a number of features, elements, and structures disclosed throughout the specification (including without limitation those of other

embodiments illustrated in Figs. 1-7B) are also included within the scope of the allowed claims. For example, on page 15, lines 19-21 of the present application, the Applicant explains that “reference is hereby made to the description accompanying the embodiments of FIGS. 1-7b for further description of the features and elements (and alternatives thereto) of FIGS. 8-10.” Accordingly, the Applicant notes that the scope of allowed claims 11-16 and 21-34 is not limited to one or more figures, illustrated embodiments, or passages of text from the disclosure of the present patent application, but is instead defined by the language of the claims themselves.

Also in the Examiner’s Reasons for Allowance, the Examiner implies that the allowance of claims 11-16 and 21-34 in the present application is based upon recited features of claims 11, 22, and 28. However, the Applicant respectfully submits that the Reasons for Allowance set forth only some of the features and elements of claims 11, 22, and 28, and only represent some of the reasons why claims 11-16 and 21-34 are allowable. The Applicant respectfully submits that a number of other features, elements, and functional relationships claimed in claims 11-16 and 21-34 provide additional and different bases for allowance of the claims.

The Applicant respectfully submits that each of claims 11-16 and 21-34 are separately patentable based upon the combinations of features, elements, and relationships thereof claimed in claims 11-16 and 21-34 rather than upon any one feature, element, or sub-combination of features and/or elements as suggested in the Reasons for Allowance.

Respectfully submitted,

By



Christopher B. Austin
Registration No. 41,592

Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-4108
(414) 271-6560

T:\CLIENTA\035496\9002\A2201922.0